

## List No. 1

<b>Charlestown Ward</b>	<b>Application Number</b> 082635/VO/2007/N1	<b>Date of Appln</b> 27th Mar 2007	<b>Committee Date</b> 31st May 2007
-------------------------	--	---------------------------------------	--

**Proposal** CITY COUNCIL DEVELOPMENT. Erection of a single storey building to form a children's centre, including a 56-place nursery, 24-place before and after school club, multi-use room, office kitchen, external play areas and associated parking with access from Colmore Drive

**Location** Corner Of Colmore Drive And Hall Moss Road, Charlestown

**Applicant** MCC Children Families & Social Care Dept Sure Start Childrens Centre, Capital Programme Team, Heron House, Albert Square, Manchester, M2 5HD

**Agent** Walker Simpson Architects 33 Piccadilly, Manchester, M1 1LQ,

### Description

This application relates to a site at the corner of Colmore Drive and Hall Moss Road in a predominantly residential area of Charlestown. The site is currently grassed with a number of mature trees. To the south there is a narrow footpath and a terrace of four single and two-storey residential properties, and the car park for the Rusland Court high-rise flats lies to the east. The vacant site of the former Clough Hotel public house lies to the west on the opposite side of Hall Moss Road and the site to the north has planning permission for a residential development (078018/FO/2005/N1). The Crosslee County Primary School and John Boscoe RC Primary School are also nearby.

The proposal involves the erection of a single storey building to form a Sure Start children's centre, which would include:

- \* 56-place day nursery
- \* 24-place 'Before and After School club'
- \* multi-use room
- \* associated office and kitchen

The proposal would also include external play areas and five parking spaces. Pedestrian and vehicular access would be taken from Colmore Drive. New tree planting is also proposed along the boundary.

The day care facility would cater for up to 56 0-5 year olds, whereas the 'Before and After School club' would cater for up to 24 children aged 3 - 11 years old. The multi-use room would provide space for activities such as parenting classes, ESOL classes, and training. The room would also be used to support other child-care providers and the local community would also have access to the centre for organising meetings.

Sure Start is the government programme to deliver the best start in life for every child. It brings together early education, childcare, health and family support. Sure Start in Manchester aims to establish a coherent family support strategy, bringing accessible childcare, early education, play and out of school services, healthcare and parent support to families. Manchester now has 18 designated Sure Start Children's Centres.

## List No. 1

### Consultations

Local Residents - 15 letters of objection have been received, raising the following concerns:

- \* There are no children in the immediate vicinity.
- \* The building would be better on the estate where the children and youths are.
- \* The residents of Rusland Court will feel hemmed in.
- \* The proposal will involve the loss of a green area.
- \* The residents of Rusland Court will lose their view.
- \* The building would be a target for vandals.
- \* The 'After School club' will attract teenagers who cause trouble.
- \* The proposal will be noisy.
- \* The proposal will exacerbate traffic problems on nearby streets.
- \* There will be extra noise and air pollution from the increased traffic.
- \* The peace and quiet will be shattered by the youths that will congregate outside the building at night
- \* The proposal backs on to the Rusland Court car park and cars will be damaged.

Head of Engineering Services - Any comments will be reported to Committee.  
Environment & Operations (Highway Authority)- Any comments will be reported to Committee.

Environment & Operations (Refuse & Sustainability)- Any comments will be reported to Committee.

North Manchester Partnership - Any comments will be reported to Committee  
Greater Manchester Ecology Unit - Any comments will be reported to Committee.

Head of Environmental Health - Recommends conditions relating to the hours of operation, hours of use of external play areas, storage and disposal of refuse, acoustic attenuation of external equipment and extraction of fumes and odours.

Contaminated Land Section - Further desk study and site investigation information, up-dated risk assessment and remediation strategy required

Greater Manchester Police - The proposal was the subject of pre-planning consultation, and GMP can see no problem with the scheme.

### Issues

Unitary Development Plan for the City of Manchester - There is no specific reference to the site in the UDP, but the following policies are relevant: Policies DC25. 1 and DC25.2 set out guidance for proposals for day nurseries, and Policy H2.2 seeks to safeguard residential amenities. The application site is in a central location within a residential area, with on-site parking and covered and open outdoor play areas. The building has been designed and the layout planned around DfES guidance. An Access Statement has been submitted with the proposal and the scheme generally accords with DfA2. The proposals are considered to accord with the UDP Policies.

Regional Planning Guidance - The draft Regional Spatial Strategy provides a broad development framework for the North West region, concentrating on social, economic and environmental issues. Relevant policies include: Policy DP1 which advises that new development should be located so as to make the most effective use of land, promote appropriate mixes of uses within a site and its wider neighbourhood, make efficient use of transport facilities and assist

## List No. 1

people to meet their needs locally; and Policy DP3 which states that new development must demonstrate good design and respect for its setting. The principle of the development is believed to be consistent with the aims of the RSS.

**Design, Scale and External Appearance** - The proposal is an L-shaped building with two mono-pitched roof sections at different angles. It is a strong, simple design with brickwork elevations broken up with mesh cladding and render panels. It is considered to be in keeping with the surrounding residential area.

**Access and Parking** - Both pedestrian and vehicular access is taken from Colmore Drive to reduce the impact on the residents on Hall Moss Road and to avoid conflict with traffic visiting John Boscoe School. Five parking spaces are provided within the site. This is considered adequate for a local facility such as this where the majority of users would be arriving on foot and there is very good access to public transport. Nevertheless, the comments of the Head of Engineering will be important in this respect.

**Disabled Access** - An Access Statement has been submitted with the proposal and the scheme generally accords with DfA2. One of the five parking spaces is designated for disabled people, access routes are level and the scheme has been designed to ensure access and inclusion.

**Sustainability** - The scheme has been designed to incorporate a number of sustainability measures - use of low embodied energy building materials, natural light to all rooms, natural cross ventilation in rooms of high usage, minimum parking provision and provision of bicycle racks, use of recycling bins, retention of existing trees on site and new tree planting.

**Layout** - The layout has been designed so that the building has some presence on this corner site and has its main frontage to Colmore Drive. The play areas are set away from the road frontages. This accords with the principles within the Guide to Development which has now been issued as planning guidance in a Supplementary Planning Document.

**Landscaping and Boundary treatment** - There are a small number of existing trees towards the rear of the site and these are to be retained. Landscaping is proposed with tree planting to the boundaries, screening the outdoor play areas. The site would be enclosed with 2.4m high security fencing.

**Objections from local residents** - All but one of the letters of objection are from occupants of Rusland Court - a high-rise residential block to the east of the application site. One of the main objections is that the proposal would be better sited elsewhere as there are no children in the vicinity, (Rusland Court specifically houses residents over 55). Charlestown currently has no Sure Start provision and the site was chosen because of its central and accessible location near to existing school facilities and within walking distance of its proposed users. In relation to the comments about the proposal being a target for anti-social behaviour, consultation has been held with Greater Manchester Architectural Liaison Unit and security measures incorporated into the design and layout. Concern has also been expressed at the loss of a green area. It is noted that the proposal will develop on a currently undeveloped piece of land, but this is only a small proportion of a larger green area around the flats and it is considered that the proposal should not have an adverse impact on the green

## List No. 1

setting of the residential blocks. In relation to the issue of disturbance from noise, it is recommended that a condition be attached to limit the hours of use of the external play areas.

**Human Rights Act 1998 considerations** - This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have the right to a fair hearing and to this end the Committee must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these Articles on the applicant(s)/objectors/residents and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. He believes that any restriction on these rights posed by approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Conclusion - The building would contribute to local regeneration and amenity by providing a community facility of the type currently lacking in this ward. It is considered that it has been appropriately designed and sited to integrate into the local community but also to have minimal impact on the amenities of neighbouring residents.

### **Recommendation APPROVE**

It is considered that the proposal will generally accord with the policies contained within the Development Plan, specifically the Unitary Development Policies H2.2, Dc 25.1 and DC25.2 and the development would improve the quality of community and childcare facilities in the area for the benefit of the surrounding community and allowing the continuing regeneration of the locality.

### **Conditions and/or Reasons**

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason -

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The development hereby approved shall be carried out in accordance with the drawings numbered: WSA.0222.P01, WSA.0222.P02 WSA.0222.P03, WSA.0222.P04a, WSA.0222.P05A, WSA.0222.P06A, WSA.0222.P07A, WSA.0222.P08A, WSA.0222.P09A, WSA.0222.P10A, WSA.0222.P11, ecological assessment ref 1413.001, and the supporting information in the Design Statement by Walker Simpson Architects stamped as received by the

## List No. 1

Local Planning Authority on 27 March 2007, unless otherwise agreed in writing by the City Council as Local Planning Authority.

Reason - To ensure that the development is carried out in accordance with the approved plans.

3) Construction of the works hereby approved shall not take place until samples and specifications of the materials to be used on all external elevations of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason

To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

4) Construction of the works hereby approved shall not take place until details and specifications of the materials to be used on all external ground surfaces of the development have been submitted to and approved in writing by the City Council as local planning authority. The development shall be constructed only using the approved materials unless otherwise agreed in writing by the City Council as local planning authority.

Reason

To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

5) All trees, shrubs and hedges within the site and/or trees whose root structure may extend within the site, which are to be retained as shown on the approved plan ref. WSA.0222P04a shall be fenced off before any building or other operation approved by this permission is carried out within the vicinity in accordance with British Standard BS 5837:2005. Thereafter, no excavation or other building or engineering operations shall take place and no plant, machinery or materials (including excavated material) shall be placed, deposited, stored or stacked within any such fence during the construction period.

Reason

In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area, pursuant to Policy H2.2 and E2.6 of the Unitary Development Plan for the City of Manchester.

6) A landscaping scheme shall be submitted to and approved in writing by the City Council as local planning authority prior to the commencement of the development. The approved scheme shall be implemented not later than 12 months from the date the buildings are first occupied. Any trees or shrubs

## List No. 1

removed, dying or becoming severely damaged or becoming severely diseased within 5 years of planting shall be replaced by trees or shrubs of a similar size or species to those originally required to be planted unless otherwise agreed in writing by the City Council as local planning authority.

### Reason

To ensure that a satisfactory landscaping scheme for the development is carried out, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

7) Before development commences a scheme for the extraction of any fumes, vapours and odours from any kitchen areas within the development hereby approved shall be submitted to, and approved in writing by, the City Council as Local Planning Authority.

Reason - In the interests of the amenities of the occupiers nearby properties, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

8) Any externally mounted ancillary plant, equipment and servicing shall be acoustically insulated in accordance with a scheme submitted to and approved in writing by the City Council as local planning authority before development commences on site, in order to secure a reduction in the level of noise emanating from the equipment.

### Reason

To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

9) Before the development hereby approved is occupied, a scheme for the storage and disposal of refuse, including a recycling strategy, shall be submitted to and approved in writing by the City Council as Local Planning Authority. The details of the approved scheme shall be implemented as part of the development and shall remain in situ whilst the use or development is in operation.

Reason - In the interests of amenity and public health, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

10) The car parking indicated on the approved plans shall be surfaced, demarcated and made available for use prior to the building hereby approved being occupied. The car park shall then be available at all times whilst the site is occupied.

### Reason

To ensure that there is adequate car parking for the development proposed when the building is occupied, pursuant to Policy T2.4 of the Unitary Development Plan for the City of Manchester.

## List No. 1

11) The wheels of all vehicles leaving the site during the construction period shall be cleaned and the access roads leading to the site swept daily in accordance with a management scheme submitted to and approved in writing by the City Council as local planning authority prior to the development commencing.

### Reason

To ensure that the proposed development does not cause unacceptable amounts of dust in the vicinity and to ensure that local roads are kept clear of mud, in the interests of residential amenity and pedestrian and highway safety, pursuant to Policy H2.2 of the unitary Development Plan for the City of Manchester.

12) The details of an emergency telephone contact number for the contractor shall be displayed in a publicly accessible location on the site and shall remain so displayed unless otherwise agreed in writing by the City Council as local planning authority.

### Reason

In the interests of local amenity, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester

13) Prior to the commencement of development, a schedule of outdoor play times, including the number of children in each session, shall be submitted to and approved in writing by the City Council as local planning authority. The agreed schedule shall be implemented as part of the operation of the centre, and the agreed numbers of children shall not be exceeded, unless otherwise agreed in writing by the City Council as local planning authority.

Reason - In order to minimise the effect of noise from outdoor play on nearby residential accommodation, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

14) The development hereby permitted shall not begin until a scheme to deal with contamination of land and/or groundwater has been submitted and approved by the local planning authority and until the measures approved in that scheme have been fully implemented. The scheme shall include all of the following measures unless the local planning authority dispenses with any such requirement specifically and in writing:

1. A desk study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. The requirements of the local planning authority shall be fully established before the desktop study is commenced and it shall conform to any such requirements.

2. Site investigation shall be carried out by a competent person to characterise fully and effectively the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until:

(i) A desktop study has been completed satisfying the requirements of paragraph (1) above;

(ii) The requirements of the local planning authority for site investigations have been fully established; and

## List No. 1

(iii) The extent and methodology have been agreed in writing with the local planning authority.

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be agreed in writing with the local planning authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the local planning authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the local planning authority.

4. If during the works contamination is encountered which has not previously been identified, then work shall cease in that area, the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the local planning authority.

5. Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the local planning authority.

Reason - To ensure that the presence of or the potential for any contaminated land and/or groundwater is detected and appropriate remedial action is taken in the interests of public safety, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester. The development is located on or adjacent to land that has had a previous industrial or potentially contaminative use.

15) The premises shall not be open outside the following hours, unless otherwise agreed in writing by the City Council as local planning authority:

\* Monday to Sunday 7:00am to 9.00pm

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy H2.2 of the Unitary Development Plan for the City of Manchester.

16) The development hereby approved shall not be occupied unless accreditation, confirming achievement of the Secure by Design standards in respect of the development, has been issued by Greater Manchester Police, unless otherwise indicated in writing by the City council as local planning authority.

Reason - To reduce the risk of crime, pursuant to Policy E3.5 of the Unitary Development Plan for the City of Manchester.

## **Local Government (Access to Information) Act 1985**

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 082635/VO/2007/N1 held by Planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are all held by the Planning Division.

**The following residents, businesses and other third parties in the area were consulted/notified on the application:**

Engineering Services

## List No. 1

Environmental Health  
Contaminated Land Section  
Environment & Operations (Highway Authority)  
Environment & Operations (Refuse & Sustainability)  
North Manchester Partnership  
Greater Manchester Police  
Greater Manchester Ecology Unit  
1 – 15 Shakleton Avenue  
2 – 12 Shakleton Avenue  
81 – 99 Grange Park Road  
1 – 7 Hall Moss Road  
2 – 10 Hall Moss Road  
Flats 1 - 94, Rusland Court, Broadmoss Drive,  
St Nicholas Orthodox Church, Grange Park Road  
Hall Moss Farm, Hall Moss Road  
Flat 1 - 90, Freshfield, Spindletree Avenue  
Coopers Coaches, Hall Moss Farm, Hall Moss Road

### Representations were received from the following third parties:

Environmental Health  
Contaminated Land Section  
Greater Manchester Police  
Ms Jane Felton, 6 Hall Moss Road, Manchester, M9 7AT  
B T Lewis, Flat 1, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mrs G Choularton, Flat 16, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr A Latham, Flat 17, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr And Mrs A Armstrong, Flat 34, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr Terrance O'Neill, Flat 54, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr And Mrs E Backhouse, Flat 55, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr E Joy, Flat 57, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
A And T. R O'Malley, Flat 67, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mrs S Armstrong, Flat 71, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mrs M Farns, Flat 73, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr And Mrs A Yates, Flat 90, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
J Corker, Flat 92, Rusland Court, Broadmoss Drive, Manchester, M9 7HG  
Mr C. Ballinger, 63 Rusland Court , Broadmoss Drive, Blackley,

**Relevant Contact Officer:** : Paula McGovern  
**Telephone No.** : (0161) 234 4547  
**Email** : p.mcGovern@manchester.gov.uk